

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-091552

01/09/2012

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
M. Kay  
Deputy

IN RE THE MATTER OF  
JUSTIN GOODWIN

JUSTIN GOODWIN  
642 E MILLETT AVE  
MESA AZ 85204

AND

ANDREA WILSTEAD

ANDREA WILSTEAD  
5410 E ALDER AVE  
MESA AZ 85206

CONCILIATION SERVICES-SE  
FINANCIAL SERVICES-BILLING-CCC

MINUTE ENTRY

Courtroom 403 – SEA

2:21 p.m. This is the time set for Resolution Management Conference re: Petitioner's Motion for Temporary Order Without Notice for Child Custody. Petitioner is present on his own behalf. Respondent is present on her own behalf.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

The Court has reviewed the case file and the pleadings filed by the parties.

The Court notes that an evidentiary hearing was previously set for December 12, 2011. The hearing was vacated after the parties presented the Court with a stipulation regarding modification of parenting time and child support.

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Discussion is held.

**LET THE RECORD REFLECT** Respondent moves the Court to modify the terms of paragraph 2 of the stipulated order filed on November 25, 2011. Respondent is notified that the Court is unable to grant her request absent an agreement of the parties or evidentiary hearing.

**IT IS ORDERED** referring the parties to Conciliation Services for post-decree mediation of child custody and/or parenting time issues. The parties shall comply with all instructions and directives issued by Conciliation Services.

**IT IS FURTHER ORDERED** that each party must pay the **\$100 per party** fee at the Clerk of the Court filing counter, at least 10 days before the mediation. Each party must bring the receipt for payment or deferral to the mediation. Forms to request a fee deferral are available at the filing counter.

**THE COURT FINDS** that Respondent is unable to afford to pay the entire Mediation fee of \$100 per party today, but is eligible to make monthly payments pursuant to a payment plan. Therefore,

**IT IS ORDERED** that Respondent shall pay her portion of the Mediation fee at a rate of \$10.00 per month to the Clerk of Court beginning February 1, 2012 until paid in full.

**IT IS FURTHER ORDERED** setting Mediation for **February 2, 2012 at 1:15 p.m.** in Conciliation Services at:

**Maricopa County Superior Court  
Southeast Regional Court Center  
222 East Javelina, Suite 1300  
Mesa, Arizona 85210**

**WARNING**

**IF YOU FAIL TO APPEAR AT THE MEDIATION AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE SESSION AT LEAST THREE FULL COURT DAYS BEFORE THE MEDIATION. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.**

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**IT IS ORDERED** setting an Evidentiary Hearing re: modification of child custody and/or parenting time on **February 23, 2012 at 10:30 a.m. (1 ½ hours allowed)** in this Division at:

Maricopa County Superior Court  
Southeast Judicial District  
222 E. Javelina Avenue  
Courtroom 403  
Mesa, AZ 85210

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least 30 days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

**IT IS ORDERED** with regard to discovery and disclosure requirements:

1. Both parties shall exchange updated disclosure statements required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to the hearing.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed at least 15 days prior to the hearing.
3. Counsel and both parties shall personally meet, face to face, at least 20 days prior to the hearing to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company or

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business, medical or health care provider, or employer possessing any relevant and discoverable information.

**IT IS FURTHER ORDERED** that the parties shall file and provide this Division with a copy of a Joint Pre-hearing Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days prior to the hearing.

**IT IS FURTHER ORDERED** that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances.
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D) and 91(Q), Arizona Rules of Family Law Procedure, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**IT IS FURTHER ORDERED** that each party shall deliver their exhibits to the Clerk of this Division no less than 5 days prior to the hearing. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

**NOTICE**

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community

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property, community debt and child support. To request conclusions of fact and law, you must file a written request with the court before the evidentiary hearing. If you make a written request before the evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure. Should the parties reach a full agreement prior to the date of the hearing, the Court will consider a motion to vacate the hearing **ONLY AFTER A SIGNED STIPULATED AGREEMENT IS PRESENTED TO THE COURT.**

2:28 p.m. Conference concludes.

**FILED:** Updated Address Information form.

**LATER:**

**LET THE RECORD REFLECT** prior to the commencement of today's proceeding, Respondent advised the above named Deputy Clerk that her current residential address is 405 Main St., Hot Springs, Arkansas 71913 and that her current mailing address is 5410 E. Alder Ave., Mesa, Arizona 85206.

**LET THE RECORD FURTHER REFLECT** the courtroom clerk has updated Respondent's mailing and residential address in ICIS as reflected on the Updated Address Information form filed this date.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

**NOTE: ALL COURT PROCEEDINGS ARE RECORDED BY AUDIO METHOD AND NOT BY A COURT REPORTER. ANY PARTY MAY REQUEST THE PRESENCE OF A COURT REPORTER BY CONTACTING THIS DIVISION THREE (3) COURT BUSINESS DAYS BEFORE THE SCHEDULED HEARING.**

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**NOTICE:** A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.